

**STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES**

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2012-26190  
Issue No.: 2009  
Case No.: [REDACTED]  
Hearing Date: March 8, 2012  
County: Isabella

**ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong**

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on March 8, 2012, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED] of [REDACTED]. Participants on behalf of Department of Human Services (Department) included [REDACTED].

**ISSUE**

Did the Department properly deny Claimant's MA eligibility based on Claimant's failure to provide the requested verifications?

**PROCEDURAL HISTORY**

1. On March 30, 2010, a rehearing was held and Claimant was granted MA retroactive to March 2007.
2. In May 2011, Claimant received a copy of this decision.

**FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On July 15, 2011, the Department sent Claimant a Verification Checklist, requesting verification of income and assets for each month from April 2007 through January 2010, with a due date of July 25, 2011.
2. Claimant's representative, L&S Associates, requested extensions on 7/25/11, 8/4/11, 8/14/11, 8/24/11, 9/3/11, 9/13/11, and 9/23/11.

3. On September 19, 2011, the department mailed Claimant a second Verification Checklist requesting that Claimant provide verification of income and assets for each month from April 2007 through January 2010. Also, provide a retro-application and all medical bills that occurred during this time period. No more extensions will be granted. This is the last 10 day extension.
4. On September 30, 2011, the department spoke to a representative of L&S Associates and informed her that the department had not received all of the requested verifications.
5. On October 7, 2011, the department wrote Claimant informing him that the verification checklist due on 7/25/11 had not been completed and the final extension was granted and due on 9/29/11. As a result, MA could not be processed for April 200 through January 2010.
6. On December 20, 2011, Claimant filed a hearing request contesting the department's denial of MA benefits.

### **CONCLUSIONS OF LAW**

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).

According to BAM 130, the client is allowed 10 calendar days to provide the verification requested. In this case, verification was first requested on July 15, 2010, due July 25, 2010. Claimant's representative asked for and received 7 extensions. As of September 29, 2010, the last due date, the requested verifications of Claimant's spouse's income had not been received.

Additionally, Claimant admitted that they did not provide the requested verifications. Claimant explained that she submitted her W-2's and they should be sufficient. The department explained that because of Claimant's unearned income, there was going to be a spend down, and without Claimant submitting her monthly income from the above listed timeframes, the department was unable to determine what the spend down was for each month.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department did act properly when the department denied Claimant's MA and Retro-MA for failure to timely submit the requested verifications.

Accordingly, the Department's MA decision is AFFIRMED.

/s/  
Vicki L. Armstrong  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: 3/29/12

Date Mailed: 3/29/12

**NOTICE:** Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

VLA/ds

■ [REDACTED]